

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No.: 7,295,125	Certificate of Transmission/Mailing
Patentee(s): Michael Lynn Gabriel	I hereby certify that this correspondence is being
Issued: November 13, 2007	facsimile transmitted to the USPTO, transmitted via
Appl. Serial No.: 10/536,744	the Office electronic filing system, or deposited with
Filed: May 27, 2005	the United States Postal Service with sufficient postage
Title: MULTI-SENSOR BABY CARE MONITORING SYSTEM	as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:
Examiner: Davetta W. Goins	<u>February 11, 2008</u> <u>/Jeffrey J. Lotspeich/</u>
Art Unit: 3761	Date Jeffrey J. Lotspeich
Customer No.: 22242	Registration No. 45,737
Confirm. No.: 4504	Attorney for Applicant(s)

REQUEST FOR CERTIFICATE OF CORRECTION
SUPPORTING DOCUMENTATION

Attention: **CERTIFICATE OF CORRECTIONS BRANCH**
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to U.S. Patent No. 7,295,125 issuing on November 13, 2007, Patentee respectfully requests that a Certificate of Correction be issued correcting the omission of certain priority information which was mistakenly omitted from the coversheet of the patent. In this regard, Patentee submits the following remarks.

REMARKS

A review of issued patent 7,295,125 reveals that the issued patent coversheet does not list domestic priority to U.S. Ser. No. 10/306, 961, filed November 29, 2002, now U.S. patent 6,870,479. For the following reasons, it is believed that this is a PTO mistake and the Patentee seeks a Certificate of Correction in accordance with MPEP 1480 and 37 CFR 1.322.

- 1) The official filing receipt identifies priority to the '961 application.
- 2) The Office Action of February 12, 2007, requested that the priority information relating to the forgoing '961 application be listed in the first paragraph of the specification. The Patentee filed a response to the Action on May 15, 2007, which stated that the requested information was included in a substitute specification filed along with the original application papers. Patentee believed that the Examiner looked only to the original specification (which did not provide the priority information) instead of the substitute specification. A Notice of Allowance was issued shortly thereafter on June 5, 2007, and the matter was believed resolved.
- 3) On February 7 and 8, 2008, the undersigned spoke with Derek Putonen and Harry Kim of the USPTO on this matter. Mr. Putonen also left a voice message for the undersigned on February 8. Mr. Putonen indicated that the PTO mistakenly obtained priority information from the inventor declaration, when it should have obtained this information from the first sentence of the substitute specification. Mr. Putonen also acknowledged that the priority information was depicted on the filing receipt, and for unknown reasons, the USPTO mistakenly did not include this information on the cover sheet of the issued patent. In a separate conversation, Mr. Kim concurred with Mr.

Putonen's findings and suggested that the Patentee file a request for a Certificate of Correction to correct the PTO's error of not including the requisite priority information.

4) Accordingly, Patentee respectfully requests a Certificate of Correction be issued properly identifying domestic priority to the '961 application.

Respectfully submitted,

Fitch, Even, Tabin & Flannery

Date: February 11, 2008

By: /Jeffrey J. Lotspeich/
Jeffrey J. Lotspeich
Reg. No. 45,737

Address all correspondence to:
FITCH, EVEN, TABIN & FLANNERY
120 So. LaSalle Street, Ste. 1600
Chicago, IL 60603

Direct telephone inquiries to:
Jeffrey J. Lotspeich
(858) 587-7642
San Diego, California Office of
FITCH, EVEN, TABIN & FLANNERY

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 7,295,125
APPLICATION NO.: 10/536,744
ISSUE DATE : November 13, 2007
INVENTOR(S) : Michael Lynn Gabriel

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

COVERSHEET OF PATENT:

Insert --Related U.S. Application Data

Continuation of Ser. No. 10/306,961, filed Nov. 29, 2002, now U.S. patent 6,870,479.--

MAILING ADDRESS OF SENDER:
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Suite 1600
Chicago, IL 60603-3406

PATENT NO: 7,295,125

No. of additional copies:

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.